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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,065	11/15/2006	Yingxin Huang	21370/0212122-US0	5957
85854 7590 01/11/2010 Huawei Technologies Co., Ltd. c/o Darby & Darby P.C. P.O. Box 770 Church Street Station New York, NY 10008-0770				
EXAMINER				
SHAHEED, KHALID W				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
01/11/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action**  
**Before the Filing of an Appeal Brief**

**Application No.**

10/591,065

**Applicant(s)**

HUANG ET AL.

**Examiner**

KHALID SHAHEED

**Art Unit**

2617

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 11 December 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

Continuation of 11, does NOT place the application in condition for allowance because: The arguments presented 12/11/09 are not persuasive. Firstly the filled remarks assert that the secondary reference Faccin (WO 03/014953) (hereinafter Faccin) receives for the subscriber database/Authentication Center 260 is only Security Association Parameters. Furthermore, the applicant argues that the present invention discloses "the visited network can directly obtain the user authentication results". The examiner respectfully disagrees. Faccin, clearly discloses: obtaining by the application server in the visited network, the roaming user's user information (see "Mobile Node 200 sends its identity", [0032]) comprising the user authentication results (see "Final Results" in fig. 3 and 4) of generic authentication architecture in the roaming user's home network. It is important to note that the security association parameters describe the security association [0002]. The parameters of Faccin are related to a "decision/choice" (page 7, lines 13-15) by home "server" 120 in fig. 1 (page 7, lines 13-15) of the parameters describing the selected Security Association to take place [0024]. The "final results" are provided to the V-GW (visited network) in fig. 3 & 4.

Additionally, the filed remarks indicate that the primary reference 3GPP TS 33.220 v6.0.0 (2004-03) only refers to the home network, so the method in the home network in the 3GPP can't disclose both the technical features in the home network and the visited network. Again, the examiner respectfully disagrees with this contention as 3GPP clearly discloses "the architecture shall not preclude the support of network application function in the visited network, or possibly even in a third network", (page 8, section 4.3). As a result the subject matter of the invention has been included within the disclosure of 3GPP. The examiner has only provided secondary reference to positively confirm this teaching using another related prior art.

The remarks further deny that Faccin discloses the same features. The examiner respectfully contends that Faccin in fact does disclose that that application server in a visited network contacts the roaming users home network in order to establish a security association. ("the network entity, in the case the Agent 110, then contacts an entity in the mobile node's home domain...server 120")

The arguments further make mention that Faccin does not disclose receiving a service request message by the application server in the visited network. The examiner respectfully disagrees and believes this is indicated in page 6, (lines 16-23). (see "a mobile node sends its identity and indications of the security associations it needs to establish with a network entity via a connection that may include a wireless link to an agent").

Transaction identifier's which have been clearly defined by 3GPP see 4.3.7 and fig. 5 ("transaction identifier"). Using the interpretation of the instant application clearly provides that the "Bootstrapping-Transaction Identifier (B-TID) which is associated with Ks".

Additionally, the arguments presented indicate that in Faccin that the Mobile node 200 was verified after the visited GW received the request message. The examiner contends that this is not indicative of information found in the present inventors disclosure. Fig. 4 clearly shows that the visited network has an authentication request message back to the home network. This appears to occur after service request 404 occurs in fig. 4. Again, Faccin clearly discloses the security association is determined at the home network "conducts negotiations with the server 120" (page 7, line 4).

Lastly, the arguments present that the final results disclosed by Faccin are different to what has been disclosed by the present invention. The examiner disagrees. The returned successful authentication disclosed in fig. 4 of the present invention relate to the same matter disclosed by Faccin. See paragraph [0092] referring to step 411: the message "has the shared Ks or Ks-derived key with the user. Serving as the MUK of MBMS, the key functions to protect the point-to-point encrypted transmission of MSK". Furthermore, in step 410 the authentication information of the present information is defined as "key information" in [0091]. This appears to be the same as the "Final Results" disclosed in fig. 3 & 4 which is also derived key information see "CK".